

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

SOUTH FORK BAND COUNCIL OF
WESTERN SHOSHONE OF NEVADA;
TE-MOAK TRIBE OF WESTERN
SHOSHONE INDIANS OF NEVADA;
TIMBISHA SHOSHONE TRIBE;
WESTERN SHOSHONE DEFENSE
PROJECT; and GREAT BASIN
RESOURCE WATCH,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
THE INTERIOR; UNITED STATES
BUREAU OF LAND MANAGEMENT;
DOUGLAS W. FURTADO, District
Manager, Battle Mountain Field Office,

Defendants,

and

BARRICK CORTEZ INC.,

Defendant-Intervenor.

Case No. 3:08-CV-00616-LRH-RAM

**SCHEDULING ORDER
REGARDING PLAINTIFFS' CHALLENGE
TO SUPPLEMENTAL FINAL EIS AND
NEW RECORD OF DECISION**

Judge: Larry R. Hicks

Magistrate Judge: Robert A. McQuaid, Jr.

Pursuant to the Joint Motion of the parties, Plaintiffs South Fork Bank Council of Western Shoshone of Nevada, Te-Moak Tribe of Western Shoshone Indians of Nevada, Timbisha Shoshone Tribe, Western Shoshone Defense Project, and Great Basin Resource Watch (collectively "Plaintiffs"), Defendants United States Department of the Interior, United States

Bureau of Land Management, and Douglas W. Furtado (“BLM”), and Defendant-Intervenor Barrick Cortez Inc. (“Barrick”), proposing an agreed-upon schedule to govern the remaining litigation in this case, the Court, having considered the parties submissions and being fully advised in the matter,

HEREBY ORDERS that the following schedule shall govern the remainder of this litigation and that the parties file the following documents on the dates indicated:

BLM’s submittal of the supplemental administrative record to all parties and this Court (in electronic format).	April 8, 2011
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Plaintiffs file supplemental complaint, pursuant to FRCP 15, to raise issues identified in the Joint Motion.	April 15, 2011
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BLM and Barrick file Answers to supplemental complaint.	April 29, 2011
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Plaintiffs file opening summary judgment motion, limited to 40 pages.	May 13, 2011
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BLM and Barrick file cross-motions for summary judgment, each limited to 40 pages.	June 10, 2011
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Plaintiffs file consolidated response/reply on summary judgment, limited to 30 pages.	July 22, 2011
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BLM and Barrick file replies on summary judgment, each limited to 20 pages.	Aug. 12, 2011
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Barrick will prepare and file joint appendix containing copies of pages from the administrative record relied on in the briefs	Aug. 26, 2011
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Oral Argument on the parties’ cross motions for summary judgment shall be set for October 6, 2011, at 10:00 a.m.

The parties need not submit Statements of Material Fact in support of their motions and cross-motions and may simply cite to the administrative record previously lodged with the Court.

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1 DATED this 6th day of April, 2011. BY THE COURT:

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6 LARRY R. HICKS
7 UNITED STATES DISTRICT JUDGE
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